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Letter dated 5 November 2001 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Under a letter dated 5 October 2001 (A/56/451-S/2001/953), Mr. Umit Pamir, the Permanent Representative of Turkey, sent you a letter covering a "Further Opinion" by Professor Maurice Mendelson QC. That Opinion, and Mr. Pamir's letter, alleged that Cyprus's application to join the European Union was illegal, and that the United Kingdom was obliged by the terms of the 1960 Treaty of Guarantee to veto Cyprus's accession to the European Union.

The United Kingdom disagrees with both of these assertions. In our view, there is no legal obstacle to Cypriot membership of the European Union. Membership does not constitute "union with another State", and is therefore not ruled out by the provisions of the 1960 Treaty of Guarantee. The United Kingdom does not consider the provisions of the Treaty to be ambiguous in any way. The fact that there is no legal barrier to Cyprus's membership is clear from the actions and statements of other European Union member States, the Commission and the United Nations Security Council.

The United Kingdom fully supports your own efforts to bring about a settlement on the island. As the Helsinki European Council made clear, a settlement before accession would facilitate Cyprus's accession. But a settlement is not a precondition for Cyprus's accession. We urge all parties to engage constructively in reaching a settlement, and recall the press statement by the President of the Security Council of 26 September 2001, which called on all concerned to support the efforts in that regard.

I would be grateful if you would circulate the present letter as a document of the General Assembly, under agenda item 62, and of the Security Council.

(*Signed*) Jeremy **Greenstock**

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